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NRO REVIEW COMPLETED

COR-1581
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28 March 1962

MEMORANDUM FOR THE RECORD

SUBJECT : Status of Ad Hoc Working Committee on Satellite Policy

REFERENCE : Memo for DD/R from Asst. to the Director, Dated 23 March 1962;
Subject: "Policy on Reconnaissance Operations"

1. In connection with the first paragraph of the referenced memorandum and at the request of Dr. Scoville, I called Phil Farley, Special Assistant to the Secretary of State for Atomic Energy and Space, to see if any actions were underway in the Department to implement the action reportedly stemming from the 22 March meeting of the Special Group reported therein.

2. Mr. Farley, on being contacted 27 March, professed to be in complete ignorance of any State Department action on the subject of the establishment of a new satellite policy, and I so reported to Dr. Scoville in person within the hour. At this point he called Mr. U. Alexis Johnson, Under Secretary of State, who had been present at the Special Group meeting referred to above, and asked him if in fact he had done anything to form a State Department working group. The upshot of this call was that Mr. Johnson, who apparently had brought the matter up at the Special Group meeting in connection with a paper of his own on the subject of legalizing satellite reconnaissance internationally, stated that he was now somewhat disenchanted with his own paper, intended to rewrite it, and would probably bring the matter up at the next Special Group meeting for rediscussion. The net of this was that Mr. Johnson does not concur that the ball is in State's corner as far as responsibility for the establishment of a working committee. Dr. Scoville indicated that one of the things he had hoped to accomplish by his call was to get some definite information and volunteer representation when the group is formed. It was obvious that little, if anything, could be done to move this matter further between Mr. Johnson and Dr. Scoville until after the next Special Group meeting.

3. Following the call with Mr. Johnson, Dr. Scoville said that the DCI was keen to get on with this matter at least within-house, and to that end Dr. Scoville asked that a project officer from DPD be assigned soonest to work

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full time on the entire background of this problem, which among other things included a vast body of international legal opinions, as well as some fairly thorny problems of a political nature. He and I agreed that one of the early steps might well be to ask the General Counsel to produce whatever is available from a legal standpoint on the question of international law with regard to national rights in outer space, and that at the same time OSI should be solicited to see what might be in their files on this matter. I told Dr. Scoville that I was positive that the General Counsel would find at least some of his source material in the hands of his opposite number in the State Department, and that consequently any approach to the General Counsel there should be a careful one, at least until the Department achieves its own position on whether such a study is indicated. I told Dr. Scoville also that we had looked into this matter after the first of May 1960 to a degree in conjunction with Mr. Houston, and that I felt there was a reasonable amount of information already in hand as a starting point.

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4. Dr. Scoville then suggested that it might be desirable, since this was a long-term operation, to enlist the support of some outside research study group who could be given the bulk of the research and of the technical and legal literature. I told him that I understood that [redacted] had done a considerable amount on this [redacted]

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[redacted] and he also said that Bob Amory had told him that [redacted]
[redacted] had worked on this matter. As an alternate, I suggested the possibility of research through [redacted]

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[redacted] and Dr. Scoville countered with a suggestion that [redacted] might prove a worthwhile research group on this matter. He then added that he had discussed this informally with Dick Bissell at lunch 26 March, and that RMB was generally receptive although the discussion did not get into a great amount of detail. As to the identity of the DPD project officer, Dr. Scoville said that he was quite well impressed with [redacted] based on past experience, and that if he could be disengaged from his basic function as Chief of the Intelligence Staff, he would be quite acceptable as the full-time case officer. I said to Dr.

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Scoville that were fortunate in that [redacted] deputy, [redacted] was a very good officer who had an exceptionally good grasp of the entire Intelligence Staff's function, and could operate in [redacted] absence without damage to the production of the Staff. Accordingly, Dr. Scoville directed me to [redacted] advising him of his selection as the full-time nominee for the job in hand and asking him to get together before coming home with [redacted] to acquire from them any and all available information on the international legal aspects of outer space. I communicated the sense of [redacted] selection to Colonel Beerli on my return from Dr. Scoville's office.

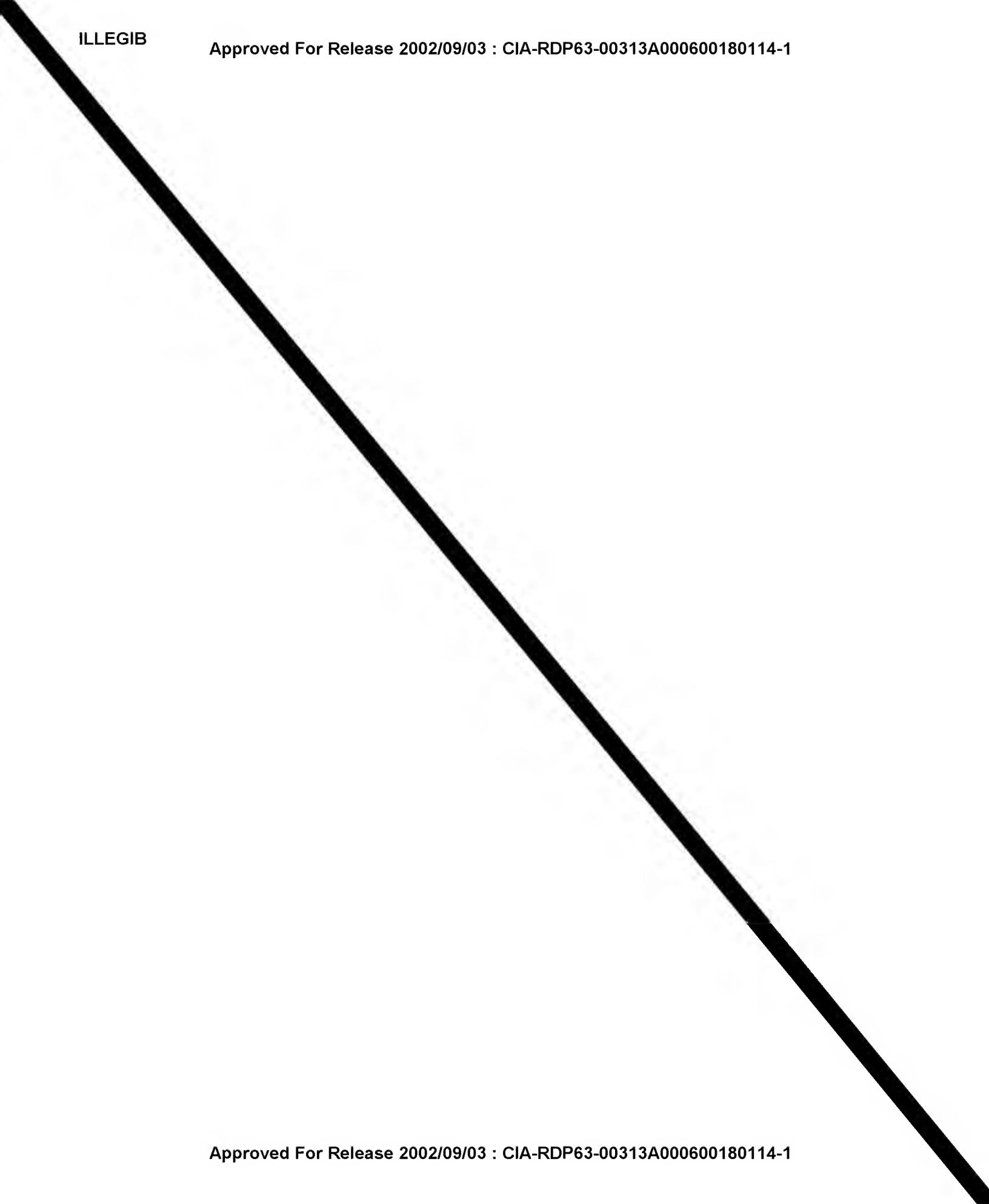
Signatures

JAMES A. CUNNINGHAM, JR.
Assistant Chief, DPD

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